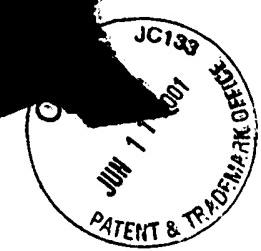


11 JUN 2001

PCT



Attorney's Docket No.: F0397/7050 TJO

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John M. Kirwan et al.  
 Serial No.: 09/744,698  
 Filed: January 29, 2001  
 For: UNIVERSAL MODULAR SURGICAL APPLICATOR SYSTEM

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Box Non-Fee Amendment, Commissioner for Patents, Washington, D.C. 20231, on the 6<sup>th</sup> day of June, 2001.

Joan E. Meagher  
 Joan E. Meagher

Box Non-Fee Amendment  
 Commissioner for Patents  
 Washington, D.C. 20231

TRANSMITTAL LETTER

Sir:

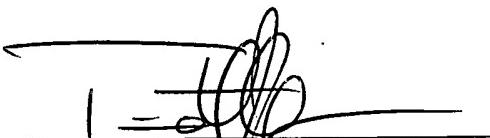
Transmitted herewith are the following documents:

- Preliminary Amendment with Marked-Up Sheet  
 Return Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

No fee is believed due. If a fee is occasioned or if extensions of time are necessary, please charge the balance to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

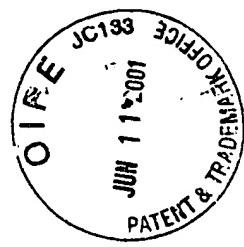
Respectfully submitted,

  
 \_\_\_\_\_  
 Timothy J. Oyer Reg. No. 36,628  
 WOLF, GREENFIELD & SACKS, P.C.  
 600 Atlantic Avenue  
 Boston, Massachusetts 02210  
 Tel: (617) 720-3500  
 Fax: (617) 720-2441

Attorney's Docket No. F0397/7050

Dated: June 6, 2001

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Attorney's Docket No.: F0397/7050 TJO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John M. Kirwan et al.  
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Joan E. Meagher

Box Non-Fee Amendment  
Commissioner for Patents  
Washington, D.C. 20231



**PRELIMINARY AMENDMENT**

Sir:

Please amend the above-identified application as follows. A marked-up version of the claims is attached hereto.

**In the Specification**

Please add the following paragraph as the first paragraph of the specification following the title.

**Related Applications**

This application claims the benefit under 35 U.S.C. §120 or 35 U.S.C. §365(c) of PCT International application PCT/US99/16950, designating the United States of America, and filed July 27, 1999, of which this application is a national stage filing under 35 U.S.C. §371, published under PCT Article 21(2) in English.

Application number PCT/US99/16950 claims the benefit under 35 U.S.C. §119(e) of United States provisional application 60/094,222, filed July 27, 1998.